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STATE OF COLORADO	
COUNTY OF ELBERT	} ss
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## RESOLUTION 21-24 A RESOLUTION GRANTING ELBERT COUNTY AUTHORITY TO APPROVE OR DENY LIQUOR LICENSES FOR SPECIAL EVENTS

At a regular meeting of the Board of County Commissioners for Elbert County, State of Colorado, held at the Administrative Building in Kiowa on Wednesday, the 16<sup>th</sup> day of June A.D. 2021, there were present:

Chris Richardson Commissioner Chairman

Rick Pettit Commissioner
Grant Thayer Commissioner

Amanda Moore Deputy Clerk to the Board

**WHEREAS**, pursuant to Article 5, Title 44, of the Colorado Revised Statutes, otherwise known as the Colorado Liquor Code - Special Events Permits allows Local Authorities to elect not to notify the State Licensing Authority to obtain the state's approval or disapproval of an application for a Special Events Permit; and

**WHEREAS**, Elbert County wishes to provide the most time-efficient application processing for its residents and organizations as possible without causing an increase to the required application deadline; and

WHEREAS, opting for the local-only approval of special events permits would ensure that applicants are served in a timely manner; and

WHEREAS, it is unlawful for a person to possess an open container of or to consume any fermented malt beverage or any malt, vinous, or spirituous liquor, in any public place or upon property owned, operated, leased, or maintained by the County, the State, or any political subdivision or agency therof; but for it shall not be a violation of County liquor licensing requirements to possess an open container or consume any fermented malt beverages or malt, vinous, or spiritous liquor in conformance with a special event permit issued pursuant to C.R.S. 44-5-101 or C.R.S. 44-5-107.

**WHEREAS**, C.R.S. 44-5-107 provides Elbert County may authorize an application for a special event liquor licensing when a permit application is filed with the County licensing authority (County Clerk) accompanied by payment of the fee as established by the County for both investigation and issuance of such permit.

**WHEREAS**, the Board of County Commissioners, by such authority vested in them as the local licensing authority under C.R.S. §44-5-107(5)(a) elects not to notify the state licensing authority to obtain the state licensing authority's approval or disapproval of applications for

special event liquor; and

WHEREAS, upon receipt of an application for special event permit, the County Clerk shall as required by C.R.S. §44-5-107(5)(c), access information made available on the state licensing authority's web site to determine the statewide permitting activity of the organization applying for the permit. The Authority shall consider compliance with C.R.S. §44-5-103(3), which restrict the number of permits issued to an organization within a calendar year to (15), before approving any application; and

**WHEREAS**, each application for special event liquor permit shall be accompanied by an application fee in an amount equal to the maximum local licensing fee established by C.R.S. §44-5-107(2)

WHEREAS, upon being granted, Special Event liquor licenses are subject to all other County liquor license requirements, rules, and regulations, ; and

**NOW, THEREFORE, BE IT RESOLVED THAT,** by the Board of County Commissioners for the County of Elbert, State of Colorado, approves and authorizes this resolution for the purpose of Special Event Liquor Licensing, and therefore authorizes:

- 1) The local licensing authority (County Clerk) not be required to notify the state licensing authority to obtain the state licensing authority's approval or disapproval of applications for special events liquor license permits; and
- 2) All other requirements contained in the Colorado Liquor Code and associated regulations remain applicable.

Upon a motion duly made and seconded, the foregoing resolution was adopted by the following vote:

Chris Richardson, CHAIRMAN

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Grant Thaver, COMMISSIONER

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Rick Pettitt, COMMISSIONER

ATTEST:

DALLAS SCHROEDER COUNTY CLERK

Date: 06/16/2021

BY:

**DEPUTY CLERK TO THE BOARD - Amanda Moore** 

